

REMARKS

Claims 1-27 remain pending in the instant application. Claims 3, 5, 6 and 18 are withdrawn from consideration, and Claims 28-30 are cancelled without prejudice. Entry of this amendment and consideration of the pending claims are respectfully requested.

In this Office Action dated July 19, 2006, independent Claim 1 and dependent Claims 2, 4, 7, and 10 were rejected under 35 USC §102(b) as being anticipated by WO 200159895, published 8/16/2001 (corresponding to EPO 1264373, published 12/11/2002, and corresponding to U.S. Pat. No. 6,735,234 to Paschotta et al., hereinafter "Paschotta"). Independent Claims 17, 22, and 25, as well as dependent Claims 8, 9, 11, 12, 13, 14, 15, 16, 19, 20, 21, 23, 24, 26, and 27, have been variously rejected under 35 USC §103(a) as being unpatentable over Paschotta in view of numerous other references.

In this response, Applicants traverse the rejections of the pending claims under both 35 USC §102(b) and 35 USC §103(a). However, to advance the prosecution of this application, Applicants have amended independent Claims 1, 17, 22, and 25 to clarify the subject matter that Applicants claim as their invention. Support for the amendments is found throughout the specification of the application in, among other passages, the passages found on P. 11, lines 4-7 and line 23, and P. 12, line 1. Applicants respectfully request the Examiner to consider the claims as amended in view of additional arguments as set forth in detail in the following remarks.

For at least the reasons set forth below, Applicants submit that independent Claims 1, 17, 22, and 25 are not anticipated or rendered obvious by Paschotta. Claim 1 recites:

1. An apparatus, comprising:
a lower mirror and an output coupler defining a laser cavity;

a gain region in a monolithic gain structure positioned in the laser cavity;
and

an absorber integrated with the gain region in the monolithic gain structure, wherein *a saturation fluence of the absorber is adjusted independently of a saturation fluence of the gain region* to be less than the saturation fluence of the gain region.

Applicants submit that nothing in the disclosure of Paschotta or other cited references discloses independent adjustment of the saturation fluence of the absorber relative to the saturation fluence of the gain region, especially when integrating the absorber into the gain structure. Moreover, nothing in Paschotta or the cited references teaches or suggests that it would have been obvious to do so. Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of independent Claim 1, as well as the rejections of independent Claims 17, 22, and 25, each of which contain similar limitations.

Claims 2, 4, and 7-16 depend from Claim 1, Claims 19-21 depend from Claim 17, Claims 23-24 depend from Claim 22, and Claims 26-27 depend from Claim 25. Because the dependent claims include the limitations of the claims from which they depend, Applicants submit that dependent claims 2, 4, 7-16, 19-21, 23-24, and 26-27 cannot be anticipated or rendered obvious by Paschotta for at least the reasons set forth above. Accordingly, Applicants request that the Examiner reconsider and withdraw the rejections of dependent Claims 2, 4, 7-16, 19-21, 23-24, and 26-27.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, Claims 1-2, 4, 7-17, and 19-27 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of

the present application. Please charge any shortages and credit any overcharges to our
Deposit Account number 02-2666.

Respectfully submitted,

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